

MEMORANDUM FOR THE RECORD

1 December 1949

SUBJECT: Evacuation Orders

1. A meeting was held on 29 November 1949 in Room 1602 L building for the purpose of discussing procedures in connection with the evacuation of employees and effects from specific areas due to disturbed conditions. This meeting was attended by Messrs. [REDACTED] The problems presented for consideration were:

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- (a) It may be necessary to issue orders and incur expense prior to receipt of information that the Department of State or another cover agency is taking other action which might be less expensive to the Government.
- (b) It may be impossible to determine in advance whether or not it would be more practicable and economical to evacuate dependents to a nearby safe area, pending clarification of the extent and probable duration of the disturbed conditions; to the nearest coastal area in the continental U. S.; to the employee's designated place of residence; or to some other authorized destination.
- (c) It may be impossible to determine whether or not it would be more economical and practicable to store effects at a nearby safe area; at the nearest coastal area in the continental U. S.; at the employee's designated place of residence in the U. S.; or at some other authorized destination. It was noted that it may be deemed necessary to ship and store effects well in advance of evacuation of personnel; in fact, after shipment of effects, personnel may not be evacuated at all.
- (d) A question was raised regarding the decision that disturbed conditions prevail in specific areas in so far as this Agency is concerned.
- (e) A question was raised regarding the proper determination that, after evacuation, dependents should travel, and effects should be shipped, back to the area from which evacuated, or to another station at which the employee is then stationed. In this connection, it was noted that in the absence of careful consideration it might occur that dependents would return to an area or to a new post of assignment prematurely, resulting in a second evacuation at an early date.

2. It was the consensus of those at the meeting that, regardless of whether or not the cover agency had posted an alert; declared emergency conditions; or indicated prevalence of disturbed conditions; when appropriate, the Assistant Director should determine that disturbed conditions

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exist in so far as this Agency is concerned.

3. After this determination is made, the Chief of Station should be authorized to take action as deemed appropriate, including:

- (a) The evacuation of effects to a nearby area, to a U. S. coastal area or to the employee's place of residence in the U. S. (or to a point no further distant).
- (b) The evacuation of employees and dependents to a suitable safe area. However, if in the opinion of the Chief of Station time permits such action, he should request specific authority from Headquarters to evacuate dependents to the U. S.

4. Determination as to the destination of effects (within the limitations stated in 3(a) above) is primarily a matter for decision by the Chief of Station, if he orders shipment, considering the request of the individual concerned. If the orders are issued by Headquarters, this determination is for decision by authorized travel authority, considering requests of appropriate officials. It was recognized that effects may first be shipped to a nearby local area for storage; thence to a coastal area in the U. S.; thence to the employee or dependents' destination, if there is a need for the effects, or when it appears that return shipment will not be made.

5. With respect to the destination of dependents and effects, it was noted that a very broad delegation of authority to the Department of State Chief of Mission is given in the Department's evacuation manual, which is now being prepared. It was also noted that very broad authority is granted in Section 103.607 (j) of the Foreign Service Regulations dated 12 October 1949. In effect, this regulation states that evacuation may be to "any authorized destination". Discussion of this point raised a question as to whether or not dependents might be authorized to name a chosen destination (probably in the U. S. near relatives or friends) which is not a designated residence of the employee and which may be more distant from the point of evacuation than such designated residence. Since there has been no interpretation of the Foreign Service Regulations dated 12 October 1949, no decision was made on this point. Accordingly, until such decision is made the authorized destination of evacuees appears to be:

- (a) A suitable foreign area.
- (b) The nearest coastal area on the continental U. S.
- (c) The employee's designated place of residence.
- (d) Any other point in the U. S. not more distant from the place of evacuation than the employee's designated place of residence. If such other point is enroute from the place of evacuation to the employee's designated place of residence, the evacuee may be authorized to travel from that point to the designated place of residence upon request.

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6. There appears to be no doubt of the existence of authority for the actions described above. The principal point which was considered is the fact that hindsight may well disclose that specific evacuation authorizations were not the most practicable and economical, and such action may not have been taken by the cover agency or the government agencies. It was the consensus that regardless of this fact, reasonable action taken in good faith would obligate the Finance Division to pay in accordance with the authorization. An example of such action might be the evacuation of effects to the U. S. in cases where conditions improve to the point that employee and dependents are not evacuated, which requires the return of the effects to the station.

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Travel Section